

GUIDELINES FOR REIMBURSEMENT OF COSTS

Attorneys appointed by the court to represent pro se appellants pro bono may (but are not required to) seek reimbursement for certain necessary and reasonable costs incurred in their representation. Because the court has limited funds to reimburse eligible costs in these appeals, counsel are requested to consider absorbing some or all of their eligible costs where feasible. Any requests for reimbursement of costs must be submitted in writing to the Pro Bono Coordinator, at the address below, and must include supporting documentation and receipts.

Reimbursement is limited to reasonable and necessary costs incurred in the production of briefs and travel for oral argument. The court will not reimburse any portion of attorneys' fees, including computer assisted legal research beyond the amount specified below.

Attorneys' fees and certain costs are available to prevailing pro bono counsel under applicable statutes and rules to the same extent as retained counsel. If you prevail in the Ninth Circuit, you are strongly encouraged to seek reimbursement of qualifying costs from the opposing party under Fed. R. App. P. 39 and accompanying local rules. The court must be reimbursed for any expenses paid by the Pro Bono Program that are subsequently recovered from the opposing party.

If you will be traveling to attend oral argument, you must contact the clerk's office at (415) 556-9853 before you make any travel arrangements. You are required to use the government travel agent for airline ticketing. (These tickets are billed directly to the government.)

COSTS AVAILABLE FOR REIMBURSEMENT

(1) Briefs and excerpts of record, motions and petition for rehearing: photocopying and/or necessary printing costs. 9th Cir. R. 39-1.2 and 39-1.3. Include invoices (where applicable) and/or price per page and number of pages. Requested costs should not exceed actual out-of-pocket costs.

(2) Travel to court for oral argument for one attorney, or if a law school is appointed, for two persons. Attorneys **must** contact the clerk's office at (415) 556-9853 to obtain a letter authorizing travel at government expense, and reference that letter when contacting the government travel agent. Other reimbursable expenses include reasonable accommodations where necessary due to distance; reasonable ground transportation to and from the airport; and parking. In many cases, the travel authorization letter can be used to obtain reduced government rates for hotel accommodations and car rentals. The total for all lodging and meal expenses **should not exceed** government per diem rates for the particular area in which the argument is held. Costs for alcoholic beverages or entertainment are not reimbursable.

(3) Other necessary costs: documented telephone toll calls to client; postage; and actual computer assisted legal research costs, not to exceed \$1000. Requested costs may not exceed actual out-of-pocket costs.

If you anticipate that you will incur additional costs not listed above for which you will seek reimbursement, you should contact the Pro Bono Coordinator, at (415) 556-9825, before you incur them. All cost reimbursement requests must be approved according to these guidelines unless specific exceptions are made in advance.

Submit request to:
Jo Ann Coxey, Pro Bono Coordinator
United States Court of Appeals
for the Ninth Circuit
P.O. Box 193939
San Francisco, CA 94119-3939